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OFFICE OF PETITIONS

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| In re Application of | : | |
| Kevin A. Stoodley, et al. | : | |
| Application No.: 09/867,362 | : | |
| Filed: May 29, 2001 | : | DECISION ON RENEWED |
| Attorney Docket No.: CA920000080US1 | : | PETITION UNDER |
| For: EFFICIENT LOCKING FOR THREAD- | : | 37 CFR 1.181 |
| SAFE SELF-MODIFYING CASE | : | |

This is a decision on the renewed petition under 37 CFR 1.181, filed June 6, 2006. On 01 June 2006 applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.181 to withdraw the holding of abandonment. Applicant was afforded two months to file any request for reconsideration. As such, applicant's presently filed renewed petition is considered timely filed.

As detailed in the decision mailed 01 June 2006, the Manual of Patent Examining Procedure (MPEP) at 711.03(c) and the Official Gazette, at 1156 OG 53, provides that a petition requesting relief based on the grounds that an Office action was not received must be accompanied by a statement that (1) the Office action was not received, (2) attests that a search of the file jacket indicates the Office action was not received, (3) attests that a search of counsel's docket records indicates the Office action was not received and (4) the Petition must also be accompanied by copies of the docket records where the non-received Office action would have been entered. (See also, Delgar v. Schulyer, 172 USPQ 513 (D.D.C. 1971). Applicant previously satisfied item (1).

With the filing of the present petition and accompanying exhibits applicant has satisfied the remaining three items. Therefore, it is proper to **GRANT** applicant's petition to withdraw the holding of abandonment at this time.

This application file is being referred to Technology Center AU 2195 for consideration of applicant's "Response to Office Action" filed September 8, 2005.

Telephone inquiries concerning this decision should be directed to the undersigned.

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